

**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

REMARKS

The Examiner rejected claims 168, 268, and 271 under 35 U.S.C. § 102(e) as being anticipated by Wellner U.S. Patent No. 5,640,193 (hereinafter referred to as "Wellner"). Additionally, the Examiner rejected claims 169-267, 269-270, and 272-273 under 35 U.S.C. § 103(a) as being unpatentable over Wellner in view of Hidary et al. U.S. Patent No. 5,774,664; Shachar U.S. Patent No. 6,012,102; Veeneman et al. U.S. Patent No. 5,774,874; Montanari et al. U.S. Patent No. 5,478,990 (hereinafter referred to as "Montanari"); Dudle et al. U.S. Patent No. 5,570,291; Brooke Great Britain Patent No. 2,109,600 (hereinafter referred to as "Brooke"); Kaoko Japanese Patent No. 404269048A (hereinafter referred to as "Kaoko"); and Teruo Japanese Patent No. 406188962A (hereinafter referred to as "Teruo").

Applicant has amended claim 168 to add "material" and "machine recognizable" which were inadvertently omitted from the originally submitted claim 168. Further, Applicant has amended claims 185 and 187 to include "integrated service digital network" and "cable television", respectively, to more clearly claim the present invention. No new matter has been added.

Additionally, Applicant thanks the Examiner for granting a

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

September 9, 2002 telephone interview with the Applicant. As agreed, Applicant has amended the specification to properly cross reference related applications and to claim the May 25, 1994 filing date of Application Serial No. 08/250,799. An effective filing date of May 25, 1994 predates the filing date of all references cited by the Examiner with the exception of the following sixteen references: Malewicki et al. U.S. Patent No. 5,108,052; Bravman et al. U.S. Patent No. 5,866,888; Wang U.S. Patent No. 5,477,042; Poland U.S. Patent No. 4,825,058; Blanford U.S. Patent No. 4,868,375; Smith, III U.S. Patent No. 5,483,052; Koji Japanese Patent No. 362264752A; Eisuke Japanese Patent No. 363203045A; Satoshi Japanese Patent No. 403060558A; Mitsutoki Japanese Patent No. 402279393A; Beasley U.S. Patent No. 5,590,173 (hereinafter referred to as "Beasley"); Rozmanith U.S. Patent No. 5,185,857 (hereinafter referred to as "Rozmanith"); and the aforementioned Brooke, Kaoka, Teruo, and Montanari. Consequently, all references cited by the Examiner, with the exception of the sixteen aforementioned patents, are not proper references against this application.

Regarding the sixteen remaining references, all references except for Beasley and Rozmanith relate to traditional bar code systems -- not the present invention, wherein a machine

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

recognizable feature contained within a document is utilized to access programming material. In fact, none of the references disclose any method for accessing programming material. Additionally, pending claims 168-196, 200-251, 253-269, and 271-272 do not claim use of a bar code system or bar code system components. Consequently, Applicant submits that the present invention is distinguished over the aforementioned references.

With respect to the remaining two references, Beasley discloses a method for transmitting signals between a cordless telephone antenna and its respective telephone base. Rozmanith is merely an information system which is a part of a transportation vehicle. Neither Beasley nor Rozmanith relate to the present invention, wherein a machine recognizable feature contained within a document is utilized to access programming material. Thus, Applicant submits that the present invention is distinguished over Beasley and Rozmanith.

In light of the foregoing amendment and remarks, Applicant submits that claims 168-273 are in condition for allowance.

PATENT


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the present invention represents a patentable contribution to the art and the application is in condition for allowance. Early and favorable action is accordingly solicited.

Respectfully submitted,

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